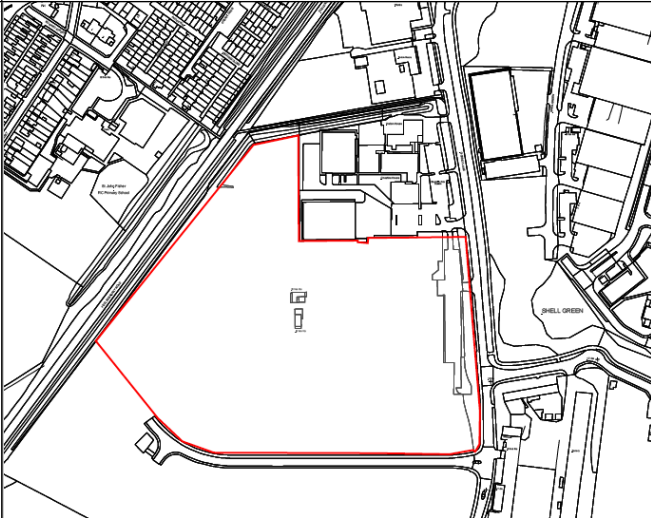


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|--|---|
| APPLICATION NO: | 22/00194/FUL |
| LOCATION: | Borax UK, Gorse Lane, Widnes, WA8 0RP. |
| PROPOSAL: | Proposed alterations to yard and building envelope, inclusion of operations hub and sheltered loading areas along with associated mechanical and electrical equipment to ensure client functionality. |
| WARD: | Halton View |
| PARISH: | N/A |
| APPLICANT: | Unipart, Unipart House, Garsington Road, Cowley, Oxford OX4 2PG. |
| AGENT: | Jefferson Sheard Architects, Unit 9, The Forum, Minerva Business Park, Lynchwood, Peterborough PE2 6FT |
| DEVELOPMENT PLAN: Halton Delivery and Allocations Local Plan (2022) Joint Merseyside and Halton Waste Local Plan (2013) | ALLOCATIONS: Employment Allocation (part of E31). |
| DEPARTURE | No. |
| REPRESENTATIONS: | No representations have been received from the publicity given to the application. |
| KEY ISSUES: | Principle of Development, Design and Layout, Highways and Flood Risk and Drainage |
| RECOMMENDATION: | Approve subject to conditions. |
| SITE MAP |  |

1. APPLICATION SITE

1.1 The Site

The Borax UK site is located within the defined town settlement boundary for Widnes, to the east of Widnes town centre. It is accessed from Gorsey Lane, which is located to the south of the A562 which links to the town of Warrington to the east. The river Mersey Estuary located to the south of the site.

The site is bounded to the east by Gorsey Lane, the A562 to the west and Bell's Healthcare to the north, to the south is vacant land with Teal Business Park beyond.

1.2 Planning History

Planning permission 19/00240/FUL was granted 14 August 2019 development of industrial unit with use classes B1, B2 and B8 with associated external lighting, electricity substation, service yard and car parking. Since the full application was granted there have been a number of Minor Material Amendments, and None Material Amendments to the original scheme detailed under the following planning applications:

- 19/00476/NMA - to permit additional 2.4 metre high guard fencing in black around car park, additional cycle shelter accommodating 20 cycles and reduction to cycleway length through the site.
- 19/00516/NMA - to enable the re-routing of the 3 metre footpath / cycle path by substituting approved site layout.
- 20/00611/NMA - to allow reduction in unit width by approximately 3 metres, omit Gatehouse, remove canopy to level access doors, amend doors to office layout, and relocation of the service yard access.
- 21/00170/NMA - to amend Unit 1 elevations colour from Russet Red to Dahlia Yellow and, in relation to condition 21, to clarify through an amendment to the wording of the condition that the footpath/cycle link will be to the west of the application site along Fiddlers Ferry Road.
- 21/00010/S73 - to vary condition 1 of permission 19/00240/FUL and amended by application 20/00611/NMA to refer to revised plans Unit 1 Site Layout Plan M3151-100-101 Rev E, Unit 1 Site Location Plan M3151-101 Rev E, Unit 1 Landscape Proposals SF2922 LL01 Rev H, Unit 1 Landscape Proposals SF2922 LL02 Rev E, and Security Gatehouse M3151-108 to suit occupiers requirements for additional parking, fire engine access direct to the service yard, a security gatehouse and an additional sprinkler tank at Unit 1.
- 22/00106/S73 - to vary conditions 21 and 22 of permission 21/00010/S73 (Application under Section 73 of the Town and Country Planning Act 1990 to vary condition 1 of permission 19/00240/FUL and amended by application 20/00611/NMA to refer to revised plans Unit 1 Site Layout Plan M3151-100-101 Rev E, Unit 1 Site Location Plan M3151-101 Rev E, Unit 1 Landscape Proposals SF2922 LL01 Rev H, Unit 1 Landscape Proposals SF2922 LL02 Rev E, and Security Gatehouse M3151-108 to suit occupiers requirements for additional parking, fire engine access direct to the service yard, a security gatehouse and an additional sprinkler tank) to allow occupation of the unit on the basis that the highways works will be completed by 16th May 2023.

2. THE APPLICATION

2.1 The Proposal

The site is being developed to create a suitable working environment for Unipart Logistics to operate as part of the NHS Supply Chain, acting as a facility for the storage and distribution of medical supplies and hospital consumables serving NHS organisations in the North West. The development assists with improved productivity and efficiency within the NHS supply chain.

As part of this development a number of minor alterations to the building envelope and external spaces are proposed, including a new operations/transport office, 2no new vehicle unloading enclosures, external roller shutter doors, emergency exit doors, a recreational area, mechanical and electrical equipment, external canopy and storage area and alterations to the carpark/vehicle entrance.

2.2 Documentation

The application is accompanied by the associated plans in addition to a Design and Access Statement.

3. POLICY CONTEXT

Members are reminded that planning law requires for development proposals to be determined in accordance with the development plan, unless material considerations indicate otherwise.

THE DEVELOPMENT PLAN

3.1 Halton Delivery and Allocations Local Plan (2022)

The following policies contained within the Halton Delivery and Allocations Local Plan are of relevance:

- CS(R)4 Employment Land Supply
- CS(R)15 Sustainable Transport;
- CS(R)18 High Quality Design;
- CS(R)19 Sustainable Development and Climate Change;
- CS(R)20 Natural and Historic Environment;
- CS23 Managing Pollution and Risk;
- C1 Transport Network and Accessibility;
- C2 Parking Standards;
- ED1 Employment Allocations
- HE1 Natural Environment and Nature Conservation;
- HE5 Trees and Landscaping;
- HE7 Pollution and Nuisance;
- HE8 Land Contamination;
- HE9 Water Management and Flood Risk;
- GR1 Design of Development;
- GR2 Amenity;
- GR3 Boundary Fences and Walls.

3.2 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout for New Development.

MATERIAL CONSIDERATIONS

Below are material considerations relevant to the determination of this planning application.

3.3 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in July 2021 to set out the Government's planning policies for England and how these should be applied.

3.4 Equality Duty

Section 149 of the Equality Act 2010 created the public sector equality duty.

Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development that justify the refusal of planning permission.

3.5 Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4. CONSULTATIONS SUMMARY

4.1 Highways and Transportation Development Control

No objection to the proposed development.

4.2 Lead Local Flood Authority

No objection to the proposed development subject to a condition.

4.3 Contaminated Land Officer

No objection to the proposed development.

4.4 Environment Agency

The Environment Agency have no objections to the application, but would offer the following informative comments:

Storage of oils, fuels & chemicals

Any facilities, above ground, for the storage of oils, fuels or chemicals must be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%.

All filling points, vents, gauges and sight glasses must be located within the bund.

The drainage system of the bund must be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the clean-up of spillages, to prevent environmental pollution from the site operations.

4.5 Environmental Protection

No objection to the proposed development.

4.6 Major Projects

No objection to the proposed development.

5. REPRESENTATIONS

5.1 The application was publicised by forty one neighbour notification letters sent on 13th January, site notices posted in the vicinity of the site on 21st April and a press advert in the Widnes and Runcorn Weekly News.

5.2 No representations were received.

6. ASSESSMENT

6.1 Principle of Development

The site is located within an area defined as Primarily Employment Area, in Policy ED1 of the Delivery and Allocations Local Plan. Employment uses are defined as those for Office, Research and development, and light industry, General Industrial and Storage and Distribution, in accordance with the Town and Country Planning (Use Classes) Order 1987, now superseded by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Therefore, the proposed use is consistent policy ED2 and is considered to be acceptable in principle.

ED2 requires new industrial and commercial developments to be compatible with existing and proposed surrounding uses. Providing adequate screening, to obscure or conceal any unsightly feature of the development.

6.2 Scale Layout and appearance

The proposal seeks to alter the appearance of the original building mainly on the southern elevation by the addition of two sheltered loading docks, an operations hub and two sprinkler units. The sheltered loading dock is also visible on the western and eastern elevation due the protruding nature of the development from the original building line.

In addition, there are a number of generators and transformers to be located on the eastern elevation with air handling units and a new opening consisting of a door with roller shutter.

The western elevation consists of an enclosed smoking shelter, with a 2.4 metre high v mesh fence.

There is no proposals to alter the appearance of the northern elevation.

The general appearance, materials and details of the proposed building would be consistent with existing building and the surrounding area. The built elements would represent a simple building of neat functional and durable design, appropriate to the established surrounding industrial and commercial context. The siting of the mechanical and electrical equipment is in keeping with the established uses.

The development would not appear incongruous, and would not harm the character and appearance of the area. The proposal is consistent with policies CS(R)18 and GR1 of the Delivery and Allocations Local Plan. A condition is recommended that the proposals be implemented in accordance with the approved plans and details, and for approval of external materials.

6.3 Highways, Transportation and Accessibility

The site is located in a sustainable location with good access to local bus services and local amenities.

Safe vehicular access via Gorsey Lane.

The site layout proposes 387 on site car parking spaces including disabled bays and electric charging points with the previously approved 60 cycle parking spaces and 16 motorcycle spaces. The proposal does lose 4 lorry trailer parking spaces due to the development of the operations hub.

The Highway Officer has not raised any concerns regarding the proposals.

The application seeks to meet the requirement for the provision for ultra low emission vehicles. The proposed block plan indicates such provision for 22 spaces. It is considered that a condition requiring the implementation of an electric vehicle charging point scheme and its subsequent implementation and maintenance can be dealt with satisfactorily.

The applicant indicates that the provision of secure cycle storage is to be made in the form of a cycle shelter which is considered appropriate. Its implementation and subsequent maintenance should be secured by condition.

Based on the above, the proposed development is considered to be acceptable from a highways perspective in compliance with Policies CS(R)15, C1 and C2 of the Halton Delivery and Allocations Local Plan.

6.4 Flood Risk and Drainage

The site is located in Flood Zone 1, which is an area deemed to be at less than 0.1% chance of flooding in any year which is a low risk.

Based on the site's location in Flood Zone 1 and the site's size, a Flood Risk Assessment is not required in this instance

The Lead Local Flood Authority note that the development is considered to be appropriate in terms of flood risk and the applicant has developed a drainage strategy based on SuDS to manage surface water runoff. This drainage system considers the potential impact of climate change and would help to reduce the risk of flooding elsewhere. However, the application is not clear if the proposal would increase the impermeable area within the development and if this would affect any potential impact on surface water runoff rates or volume.

No development should commence until a surface water drainage strategy is submitted to identify the potential impacts of the development on surface water drainage and to demonstrate the opportunities reduce runoff rates and to include sustainable drainage have been considered fully in compliance with Policies CS23 and HE9 of the Halton Delivery and Allocations Local Plan.

6.5 Ground Contamination

No objection is raised on the grounds of Ground Contamination. The proposal is considered to comply with Policies CS23 and HE8 of the Halton Delivery and Allocations Local Plan.

6.6 Trees and Landscaping

The Tree and Landscape Officer has not raised any concerns regarding the proposals. The application does not appear to alter the existing development.

The application appears to be in compliance with Policies GR1 and HE5 of the Halton Delivery and Allocations Local Plan.

6.7 Sustainable Development and Climate Change

Policy CS(R)19 of the Halton Delivery and Allocations Local Plan requires development to be designed to have regard to the predicted effects of climate change.

The attachment of a condition securing the submission of a scheme detailing such matters along with their subsequent implementation will ensure compliance with Policy CS(R)19 of the Halton Delivery and Allocations Local Plan.

6.8 Waste Management

Policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan are applicable to this application. In terms of waste prevention, construction management by the applicant and based on the nature of the proposed development, significant volumes of waste are unlikely to be generated.

In terms of on-going waste management, there is sufficient space within the development to deal with this.

The proposal is considered to be compliant with policies WM8 and WM9 of the Joint Merseyside and Halton Waste Local Plan.

7. **CONCLUSIONS**

The principle of the development is considered to be acceptable. The scale, layout and appearance of the buildings works and addition of mechanical and electrical equipment is also acceptable, and would not harm the character and appearance of the area. The proposal would not have a significant impact on the highways, and any potential effects relating to drainage can be mitigated by the use of planning conditions.

The proposal is considered to comply with Development Plan Policies CS(R)4, CS(R)15; CS(R)18; CS(R)19; CS(R)20; CS23; C1; C2; ED1, HE1, HE5, HE7, HE8; HE9; GR1; GR2; and GR3 of the Halton Delivery and Allocations Local Plan, and is recommended for approval.

8. RECOMMENDATION

That the application is approved subject to conditions.

9. CONDITIONS

1. Time Limit – Full Permission.
2. Approved Plans.
3. Construction Hours (Policy GR2)
4. Implementation of External Facing Materials (Policies CS(R)18 and GR1)
5. Electric Vehicle Charging Points Scheme (Policy C2)
6. Parking and Servicing Provision – (Policies C1 and C2)
7. Implementation of Cycle Parking Scheme – (Policy C1)
8. Implementation of Drainage Strategy – (Policies CS23 and HE9)
9. Sustainable Development and Climate Change Scheme – (Policy CS(R)19)

Informatives

1. Considerate Constructors Informative.

10. BACKGROUND PAPERS

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

11. SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2021);
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.